



**Minnesota Pollution
Control Agency**

520 Lafayette Road North
St. Paul, MN 55155-4194

MS4 SWPPP Application for Reauthorization

for the NPDES/SDS General Small Municipal Separate
Storm Sewer System (MS4) Permit MNR040000
reissued with an effective date of August 1, 2013
Stormwater Pollution Prevention Program (SWPPP) Document

Doc Type: Permit Application

Instructions: This application is for authorization to discharge stormwater associated with Municipal Separate Storm Sewer Systems (MS4s) under the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Permit Program. **No fee** is required with the submittal of this application. Please refer to "Example" for detailed instructions found on the Minnesota Pollution Control Agency (MPCA) MS4 website at <http://www.pca.state.mn.us/ms4>.

Submittal: This MS4 SWPPP Application for Reauthorization form must be submitted electronically via e-mail to the MPCA at ms4permitprogram.pca@state.mn.us from the person that is duly authorized to certify this form. All questions with an asterisk (*) are required fields. All applications will be returned if required fields are not completed.

Questions: Contact Claudia Hochstein at 651-757-2881 or claudia.hochstein@state.mn.us, Dan Miller at 651-757-2246 or daniel.miller@state.mn.us, or call toll-free at 800-657-3864.

General Contact Information (*Required fields)

MS4 Owner (with ownership or operational responsibility, or control of the MS4)

*MS4 permittee name: City of New Brighton *County: Ramsey County
(city, county, municipality, government agency or other entity)

*Mailing address: 803 Old Hwy 8

*City: New Brighton *State: MN *Zip code: 55112

*Phone (including area code): 651-638-2100 *E-mail: Grant.Wyffels@newbrightonmn.gov

MS4 General contact (with Stormwater Pollution Prevention Program [SWPPP] implementation responsibility)

*Last name: Wyffels *First name: Grant
(department head, MS4 coordinator, consultant, etc.)

*Title: Director of Public Works

*Mailing address: 803 Old Hwy 8

*City: New Brighton *State: MN *Zip code: 55112

*Phone (including area code): 651-638-2050 *E-mail: Grant.Wyffels@newbrightonmn.gov

Preparer information (complete if SWPPP application is prepared by a party other than MS4 General contact)

Last name: Peters First name: Jeff
(department head, MS4 coordinator, consultant, etc.)

Title: Consultant

Mailing address: 701 Xenia Ave South, Suite 300

City: Minneapolis State: Mn Zip code: 55416

Phone (including area code): 763.287.7150 E-mail: jpeters@wsbeng.com

Verification

1. I seek to continue discharging stormwater associated with a small MS4 after the effective date of this Permit, and shall submit this MS4 SWPPP Application for Reauthorization form, in accordance with the schedule in Appendix A, Table 1, with the SWPPP document completed in accordance with the Permit (Part II.D.). ☒ Yes
2. I have read and understand the NPDES/SDS MS4 General Permit and certify that we intend to comply with all requirements of the Permit. ☒ Yes

Certification (All fields are required)

- ☒ Yes - I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted.

I certify that based on my inquiry of the person, or persons, who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of civil and criminal penalties.

This certification is required by Minn. Stat. §§ 7001.0070 and 7001.0540. The authorized person with overall, MS4 legal responsibility must certify the application (principal executive officer or a ranking elected official).

By typing my name in the following box, I certify the above statements to be true and correct, to the best of my knowledge, and that this information can be used for the purpose of processing my application.

Name: Grant Wyffels
(This document has been electronically signed)

Title: Director of Public Works Date (mm/dd/yyyy): 10/30/2013

Mailing address: 803 Old Highway 8

City: New Brighton State: MN Zip code: 55112

Phone (including area code): 651-638-2050 E-mail: Grant.Wyffels@newbrightonmn.gov

Note: The application will not be
processed without certification.

Stormwater Pollution Prevention Program Document

I. Partnerships: (Part II.D.1)

- A. List the **regulated small MS4(s)** with which you have established a partnership in order to satisfy one or more requirements of this Permit. Indicate which Minimum Control Measure (MCM) requirements or other program components that each partnership helps to accomplish (List all that apply). Check the box below if you currently have no established partnerships with other regulated MS4s. If you have more than five partnerships, hit the tab key after the last line to generate a new row.

☒ No partnerships with regulated small MS4s

Name and description of partnership	MCM/Other permit requirements involved

- B. If you have additional information that you would like to communicate about your partnerships with other regulated small MS4(s), provide it in the space below, or include an attachment to the SWPPP Document, with the following file naming convention: *MS4NameHere_Partnerships*.

The city will continue to look for opportunities to partner with other MS4 communities and non permitted organizations to improve our stormwater program.

II. Description of Regulatory Mechanisms: (Part II.D.2)

Illicit discharges

- A. Do you have a regulatory mechanism(s) that effectively prohibits non-stormwater discharges into your small MS4, except those non-stormwater discharges authorized under the Permit (Part III.D.3.b.)? ☒ Yes ☐ No

1. If yes:

- a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):

☒ Ordinance ☐ Contract language
☐ Policy/Standards ☐ Permits
☐ Rules
☒ Other, explain: Ordinance's will be reviewed during the next 12 months.

- b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

City Code: Chapter 24 Sewers

City Code: Chapter 31 Stormwater Utility

Direct link:

<http://www.ci.new-brighton.mn.us/vertical/sites/%7B2CF34F28-6DFB-45DA-AF59-36896254F224%7D/uploads/%7BC339D0CA-F195-4F6A-B6BE-69873293A194%7D.PDF>

<http://www.ci.new-brighton.mn.us/vertical/sites/%7B2CF34F28-6DFB-45DA-AF59-36896254F224%7D/uploads/%7B88826CD4-8986-4833-9CC4-EA98D62ADDE8%7D.PDF>

☐ Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_IDDEreg*.

2. If no:

Describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date

permit coverage is extended, this permit requirement is met:

Construction site stormwater runoff control

- A. Do you have a regulatory mechanism(s) that establishes requirements for erosion and sediment controls and waste controls? ☒ Yes ☐ No

1. If **yes**:

- a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):

- ☒ Ordinance ☐ Contract language
☒ Policy/Standards ☒ Permits
☐ Rules
☐ Other, explain: Building Permit - Erosion Protection .

- b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

City Code: Chapter 7 Buildings, Article 5 (Division 3)

Direct link:

<http://www.ci.new-brighton.mn.us/vertical/sites/%7B2CF34F28-6DFB-45DA-AF59-36896254F224%7D/uploads/%7B829F12FC-3A83-44A7-BF5A-D5755C7745E2%7D.PDF>

- ☐ Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_CSWreg.*

- B. Is your regulatory mechanism at least as stringent as the MPCA general permit to Discharge Stormwater Associated with Construction Activity (as of the effective date of the MS4 Permit)? ☐ Yes ☒ No

If you answered **yes** to the above question, proceed to C.

If you answered **no** to either of the above permit requirements listed in A. or B., describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

The City's construction site stormwater runoff control regulatory mechanism will be updated to be at least as stringent as the MPCA CSW permit. This effort will be completed within 12 months of the date permit coverage is extended.

- C. Answer **yes** or **no** to indicate whether your regulatory mechanism(s) requires owners and operators of construction activity to develop site plans that incorporate the following erosion and sediment controls and waste controls as described in the Permit (Part III.D.4.a.(1)-(8)), and as listed below:

- | | |
|--|---|
| 1. Best Management Practices (BMPs) to minimize erosion. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 2. BMPs to minimize the discharge of sediment and other pollutants. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 3. BMPs for dewatering activities. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 4. Site inspections and records of rainfall events | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 5. BMP maintenance | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 6. Management of solid and hazardous wastes on each project site. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 7. Final stabilization upon the completion of construction activity, including the use of perennial vegetative cover on all exposed soils or other equivalent means. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 8. Criteria for the use of temporary sediment basins. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

C. (1.), (2.), (4.), (5.), (6.), (7.), (8) are not reference in the City's Ordinance. The Director of Public Works will work with the City Engineer to draft these amendments using the MPCA model ECS ordinance as a guideline. The amended ordinances will be placed on the City Council's meeting agenda for approval within 12 months following the date permit coverage is extended.

C. (3.) Following the same procedures as for (1), the ordinance will be amended to include the use of BMP's for dewatering activities.

Post-construction stormwater management

A. Do you have a regulatory mechanism(s) to address post-construction stormwater management activities?

☒ Yes ☐ No

1. If **yes**:

a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):

☒ Ordinance ☐ Contract language

☒ Policy/Standards ☐ Permits

☐ Rules

☐ Other, explain: _____

b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

Direct link:

☒ Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_PostCSWreg*.

B. Answer **yes** or **no** below to indicate whether you have a regulatory mechanism(s) in place that meets the following requirements as described in the Permit (Part III.D.5.a):

1. **Site plan review:** Requirements that owners and/or operators of construction activity submit site plans with post-construction stormwater management BMPs to the permittee for review and approval, prior to start of construction activity. ☒ Yes ☐ No

2. **Conditions for post construction stormwater management:** Requires the use of any combination of BMPs, with highest preference given to Green Infrastructure techniques and practices (e.g., infiltration, evapotranspiration, reuse/harvesting, conservation design, urban forestry, green roofs, etc.), necessary to meet the following conditions on the site of a construction activity to the Maximum Extent Practicable (MEP):

a. For new development projects – no net increase from pre-project conditions (on an annual average basis) of: ☐ Yes ☒ No

- 1) Stormwater discharge volume, unless precluded by the stormwater management limitations in the Permit (Part III.D.5.a(3)(a)).
- 2) Stormwater discharges of Total Suspended Solids (TSS).
- 3) Stormwater discharges of Total Phosphorus (TP).

b. For redevelopment projects – a net reduction from pre-project conditions (on an annual average basis) of: ☐ Yes ☒ No

- 1) Stormwater discharge volume, unless precluded by the stormwater management limitations in the Permit (Part III.D.5.a(3)(a)).
- 2) Stormwater discharges of TSS.
- 3) Stormwater discharges of TP.

3. **Stormwater management limitations and exceptions:**

a. Limitations

1) Prohibit the use of infiltration techniques to achieve the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)) when the infiltration structural stormwater BMP will receive discharges from, or be constructed in areas: ☐ Yes ☒ No

- a) Where industrial facilities are not authorized to infiltrate industrial stormwater under an NPDES/SDS Industrial Stormwater Permit issued by the MPCA.
- b) Where vehicle fueling and maintenance occur.
- c) With less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock.
- d) Where high levels of contaminants in soil or groundwater will be mobilized by the infiltrating stormwater.

2) Restrict the use of infiltration techniques to achieve the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)), without higher engineering review, sufficient to provide a functioning treatment system and prevent adverse impacts to groundwater, when the infiltration device will be constructed in areas: ☐ Yes ☒ No

- a) With predominately Hydrologic Soil Group D (clay) soils.
- b) Within 1,000 feet up-gradient, or 100 feet down-gradient of active karst features.

- c) Within a Drinking Water Supply Management Area (DWSMA) as defined in Minn. R. 4720.5100, subp. 13.
- d) Where soil infiltration rates are more than 8.3 inches per hour.
- 3) For linear projects where the lack of right-of-way precludes the installation of volume control practices that meet the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)), the permittee's regulatory mechanism(s) may allow exceptions as described in the Permit (Part III.D.5.a(3)(b)). The permittee's regulatory mechanism(s) shall ensure that a reasonable attempt be made to obtain right-of-way during the project planning process. ☐ Yes ☒ No
4. **Mitigation provisions:** The permittee's regulatory mechanism(s) shall ensure that any stormwater discharges of TSS and/or TP not addressed on the site of the original construction activity are addressed through mitigation and, at a minimum, shall ensure the following requirements are met:
- a. Mitigation project areas are selected in the following order of preference: ☐ Yes ☒ No
- 1) Locations that yield benefits to the same receiving water that receives runoff from the original construction activity.
 - 2) Locations within the same Minnesota Department of Natural Resource (DNR) catchment area as the original construction activity.
 - 3) Locations in the next adjacent DNR catchment area up-stream
 - 4) Locations anywhere within the permittee's jurisdiction.
- b. Mitigation projects must involve the creation of new structural stormwater BMPs or the retrofit of existing structural stormwater BMPs, or the use of a properly designed regional structural stormwater BMP. ☐ Yes ☒ No
- c. Routine maintenance of structural stormwater BMPs already required by this permit cannot be used to meet mitigation requirements of this part. ☐ Yes ☒ No
- d. Mitigation projects shall be completed within 24 months after the start of the original construction activity. ☐ Yes ☒ No
- e. The permittee shall determine, and document, who will be responsible for long-term maintenance on all mitigation projects of this part. ☒ Yes ☐ No
- f. If the permittee receives payment from the owner and/or operator of a construction activity for mitigation purposes in lieu of the owner or operator of that construction activity meeting the conditions for post-construction stormwater management in Part III.D.5.a(2), the permittee shall apply any such payment received to a public stormwater project, and all projects must be in compliance with Part III.D.5.a(4)(a)-(e). ☐ Yes ☒ No
5. **Long-term maintenance of structural stormwater BMPs:** The permittee's regulatory mechanism(s) shall provide for the establishment of legal mechanisms between the permittee and owners or operators responsible for the long-term maintenance of structural stormwater BMPs not owned or operated by the permittee, that have been implemented to meet the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)). This only includes structural stormwater BMPs constructed after the effective date of this permit and that are directly connected to the permittee's MS4, and that are in the permittee's jurisdiction. The legal mechanism shall include provisions that, at a minimum:
- a. Allow the permittee to conduct inspections of structural stormwater BMPs not owned or operated by the permittee, perform necessary maintenance, and assess costs for those structural stormwater BMPs when the permittee determines that the owner and/or operator of that structural stormwater BMP has not conducted maintenance. ☒ Yes ☐ No
- b. Include conditions that are designed to preserve the permittee's right to ensure maintenance responsibility, for structural stormwater BMPs not owned or operated by the permittee, when those responsibilities are legally transferred to another party. ☐ Yes ☒ No
- c. Include conditions that are designed to protect/preserve structural stormwater BMPs and site features that are implemented to comply with the Permit (Part III.D.5.a(2)). If site configurations or structural stormwater BMPs change, causing decreased structural stormwater BMP effectiveness, new or improved structural stormwater BMPs must be implemented to ensure the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)) continue to be met. ☐ Yes ☒ No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within twelve (12) months of the date permit coverage is extended, these permit requirements are met:

B.2.a, B.2.b. Amend if necessary, current post-construction stormwater ordinance and City Design Standards, which includes goals for reducing post-development TSS and TP loading on an annual basis, to include volume-control and be more consistent with permit language for new and redevelopment sites. The City will draft these amendments they will be placed on the City Council's meeting agenda for approval within 12 months following the date permit coverage is

extended.

B.3.a.1: The City will amend if necessary the ordinance and City Design Standards to include prohibiting the use of infiltration techniques for post-construction stormwater management as described in the Permit (PartIII.D.5.a(3)(a).1). The ordinance will be amended on the same schedule as the items in B.2.a and B.2.b.

B.3.a.2: The City will amend if necessary the ordinance and City Design Standards to include restricting the use of infiltration techniques for post-construction stormwater management as described in the Permit (PartIII.D.5.a(3)(a).2). This will occur on the same schedule as the items above.

B.3.a.3: The City will amend if necessary the ordinance and City Design Standards to include the exceptions for linear projects as described in the Permit (PartIII.D.5.a(3)(b)). This will occur on the same schedule as the items above.

B.4.a.: The City will amend if necessary the ordinance and City Design Standards to include order of preference for selecting mitigation project areas as described in the Permit (PartIII.D.5.a(4)(a)). This will occur on the same schedule as the items above.

B.4.b.: The City will amend if necessary the ordinance and City Design Standards to include requirements for the creation of mitigation projects as described in the Permit (PartIII.D.5.a(4)(b)). This will occur on the same schedule as the items above.

B.4.c.: The City will amend if necessary the ordinance and City Design Standards to include the restriction from using routine maintenance of structural BMPs to meet the requirements for mitigation projects as described in the Permit (PartIII.D.5.a(4)(c)). This will occur on the same schedule as the items above.

B.4.d.: The City will amend if necessary the ordinance and City Design Standards to include the requirement to complete mitigation projects within 24 months after the start of the original construction activity as described in the Permit (PartIII.D.5.a(4)(d)). This will occur on the same schedule as the items above.

B.4.e.: The City will amend if necessary the ordinance and City Design Standards to include requirement for identifying the person responsible for long-term maintenance of mitigation projects as described in the Permit (PartIII.D.5.a(4)(e)). This will occur on the same schedule as the items above.

B.5.b.: The City will amend if necessary the ordinance and City Design Standards to mandate that money received from an owner/operator of construction activity, in lieu of meeting the conditions for post-construction stormwater management, shall be used for a public stormwater project as described in the Permit (PartIII.D.5.a(4)(f)). This will occur on the same schedule as the items above.

B.4.f.: The City will amend if necessary the ordinance and City Design Standards to include conditions that require maintenance responsibility for structural stormwater BMPs through transfer of ownership as described in the Permit (PartIII.D.5.a(5)(b)). This will occur on the same schedule as the items above.

B.5.c.: The City will amend if necessary the ordinance and City Design Standards to include conditions to address BMP modification in the future as described in the Permit (PartIII.D.5.a(5)(c)). This will occur on the same schedule as the items above.

III. Enforcement Response Procedures (ERPs): (Part II.D.3)

A. Do you have existing ERPs that satisfy the requirements of the Permit (Part III.B.)?

☐ Yes ☒ No

1. If **yes**, attach them to this form as an electronic document, with the following file naming convention: *MS4NameHere_ERPs*.
2. If **no**, describe the tasks and corresponding schedules that will be taken to assure that, with twelve (12) months of the date permit coverage is extended, these permit requirements are met:

Evaluate, Draft and Develop a ERP that covers the following information. Example from other community.

(a) Notice of violation.

(1) Upon discovering that a person has violated a prohibition or failed to meet a requirement of this section, under the provisions of this article the city administrator or designee shall serve a notice upon the owner of the property upon which the nuisance exists. Such notice shall be given by certified mail at the last known address as shown on the property tax records of the county. Such notice shall advise that a nuisance exists and require the property owner to abate the nuisance within a reasonable time, as established by the city administrator or designee and stated in the notice. Such time shall not be less than 14 days. Such notice may require without limitation:

- a. The performance of monitoring, analyses, and reporting;*
- b. The elimination of illicit connections or discharges;*
- c. That violating discharges, practices, or operations shall cease and desist;*
- d. The abatement or remediation of stormwater pollution or contamination hazards and the*

restoration of any affected property; and

e. Payment of a fine to cover administrative and remediation costs; and

f. The implementation of source control or treatment BMPs.

(2) Such notice shall also advise the property owner of the right to request a hearing before the city administrator or designee to contest the contents of the notice.

(3) If requested by the person upon whom the notice is served under subsection (a) of this section, a hearing before the city administrator or designee shall be held at which the person may contest the contents of the notice. The request for such a hearing must be made within five days after receipt of the notice provided for in subsection (a) of this section. After such hearing the city administrator or designee may affirm the notice, modify the notice or quash the notice.

(4) If the property owner does not abate the nuisance as required by the notice provided for in subsection (a) of this section and has not requested a hearing before the city administrator or designee under subsection (2) of this section, authorized agents of the city shall abate the nuisance. The cost of such abatement shall be collected as a special assessment against the property upon which the nuisance was located.

(5) If the property owner requests a hearing before the city administrator or designee under subsection (2) of this section, no abatement actions shall be taken until the hearing is held. If after the hearing the city administrator or designee affirms or modifies the notice and the nuisance is not abated as provided in the notice as affirmed or modified, authorized agents of the city shall abate the nuisance. The cost of such abatement shall be collected as a special assessment against the property upon which the nuisance was located.

(6) Nothing in this section prevents abatement by the city of a public nuisance without notice and hearing in the case of an emergency in which there is an immediate and direct threat to the public health or safety. The expense of such an emergency abatement shall be collected as a special assessment against the property upon which the nuisance was located.

B. Describe your ERPs:

Currently in Ordinance and Contract language.

IV. Storm Sewer System Map and Inventory: (Part II.D.4.)

A. Describe how you manage your storm sewer system map and inventory:

The City GIS specialist updates and maintains all of the City's GIS Information.

B. Answer **yes** or **no** to indicate whether your storm sewer system map addresses the following requirements from the Permit (Part III.C.1.a-d), as listed below:

- | | |
|--|---|
| 1. The permittee's entire small MS4 as a goal, but at a minimum, all pipes 12 inches or greater in diameter, including stormwater flow direction in those pipes. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 2. Outfalls, including a unique identification (ID) number assigned by the permittee, and an associated geographic coordinate. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. Structural stormwater BMPs that are part of the permittee's small MS4. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 4. All receiving waters. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

The city will update GIS maps and inventory to include new items and pipes that are 12in or greater.

C. Answer **yes** or **no** to indicate whether you have completed the requirements of 2009 Minnesota Session Law, Ch. 172. Sec. 28: with the following inventories, according to the specifications of the Permit (Part III.C.2.a.-b.), including:

- | | |
|--|---|
| 1. All ponds within the permittee's jurisdiction that are constructed and operated for purposes of water quality treatment, stormwater detention, and flood control, and that are used for the collection of stormwater via constructed conveyances. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. All wetlands and lakes, within the permittee's jurisdiction, that collect stormwater via constructed conveyances. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

D. Answer **yes** or **no** to indicate whether you have completed the following information for each feature inventoried.

- | | |
|--|---|
| 1. A unique identification (ID) number assigned by the permittee. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. A geographic coordinate. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. Type of feature (e.g., pond, wetland, or lake). This may be determined by using best professional | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

judgment.

If you have answered **yes** to all above requirements, and you have already submitted the Pond Inventory Form to the MPCA, then you do not need to resubmit the inventory form below.

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

- E. Answer **yes** or **no** to indicate if you are attaching your pond, wetland and lake inventory to the MPCA ☐ Yes ☒ No on the form provided on the MPCA website at: <http://www.pca.state.mn.us/ms4>, according to the specifications of Permit (Part III.C.2.b.(1)-(3)). Attach with the following file naming convention: *MS4NameHere_inventory*.

If you answered **no**, the inventory form must be submitted to the MPCA MS4 Permit Program within 12 months of the date permit coverage is extended.

V. Minimum Control Measures (MCMs) (Part II.D.5)

A. MCM1: Public education and outreach

1. The Permit requires that, within 12 months of the date permit coverage is extended, existing permittees revise their education and outreach program that focuses on illicit discharge recognition and reporting, as well as other specifically selected stormwater-related issue(s) of high priority to the permittee during this permit term. Describe your **current** educational program, including **any high-priority topics included**:

The City of New Brighton is comprised of a mix of commercial business districts, established and new residential developments, and agriculture land uses. Therefore the educational focus rotates through residential issues, construction activities, and illicit discharges around commercial business districts. When able the City partners with Rice Creek Watershed District to provide education to our residents. Newsletter distributed to residents includes stormwater section discussing proper practices for activities such as fall yard practices and winter deicing.

2. List the categories of BMPs that address your public education and outreach program, including the distribution of educational materials and a program implementation plan. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the U.S. Environmental Protection Agency's (EPA) *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
<i>Education Activity Implementation Plan</i>	<i>Complete outline of education activity implementation program and implementation schedule for the upcoming permit year by June 30th.</i>
<i>Meeting with Building Contractors, Developers, and Excavators</i>	<i>Hold meetings as needed to inform these professionals of stormwater related issues.</i>
<i>Meetings with Educational Professionals</i>	<i>Work with Watershed Partners, Stormwater Steering Committee, and Water Resource Coordinators Group to make effective use of stormwater education programs. The goal is 1 separate program partnerships to be documented within the next 5 years</i>
<i>Presentations to City Council</i>	<i>Report on yearly NPDES regulations and activities in Annual Report, urban storm water impacts to water bodies, current SWPPP status during an annual presentation each year of permit cycle. Additionally we will provide a specific review of SWPPP when considering zoning request.</i>
<i>City Staff Meetings</i>	<i>Provide a presentation at City Department meetings to generate Staff awareness of SWPPP regulations and to develop projects with appropriate BMPs applied.</i>
<i>Newsletter</i>	<i>Published Annual Newsletter to spread awareness of stormwater related issues and distributed about 20,000 copies</i>

<i>Cable Access Channel</i>	<i>Broadcasted stormwater related information as much as possible.</i>
BMP categories to be implemented	Measurable goals and timeframes
<i>Social Media</i>	<i>Develop a Social Media Campaign on Facebook and Twitter and post a stormwater related article at least once a quarter. If any important events occur in our City or Nearby we will send additional messages.</i>

3. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Director- Suggest Delegating to Support Staff

B. MCM2: Public participation and involvement

1. The Permit (Part III.D.2.a.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement a public participation/involvement program to solicit public input on the SWPPP. Describe your current program:

An opportunity to hear comments on the SWPPP is provided each year during an annual meeting held in combination with a Park Board Meeting.

2. List the categories of BMPs that address your public participation/involvement program, including solicitation and documentation of public input on the SWPPP. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). **If you have more than five categories**, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
<i>Annual Meeting</i>	<i>Hold annual public meeting combined with Park Board Meeting</i>
<i>Volunteer Storm Drain Stenciling Program</i>	<i>Engage community groups in a storm drain stenciling effort to increase awareness that the drains are connect to lakes and rivers.</i>
Receive Citizen Input through Website	City Website, will provide information and give contact information for concerns or comments.
BMP categories to be implemented	Measurable goals and timeframes
Online Availability of Stormwater Pollution Prevention Program Document	Provide an electronic document of Stormwater Pollution Prevention Program document online, to allow anytime, easier access to these documents.
Coordination Meeting	Hold a coordination meeting involving other MS4 permittees, regulatory agencies, and interested stakeholders to discuss progress of the stormwater management program and the next year's activities.

3. Do you have a process for receiving and documenting citizen input? ☒ Yes ☐ No

If you answered **no** to the above permit requirement, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:

4. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Director- Suggest Delegating to Support Staff

C. MCM 3: Illicit discharge detection and elimination

1. The Permit (Part III.D.3.) requires that, within 12 months of the date permit coverage is extended, existing permittees revise their current program as necessary, and continue to implement and enforce a program to detect and eliminate illicit discharges into the small MS4. Describe your current program:

The City has an ordinance that prohibits illicit discharges and connections. City Staff and public works employees are trained to look for any signs of an illicit discharge while on the job. City of New Brighton will review and update where necessary ordinances and enforcement response procedures that deal with IDDE.

2. Does your Illicit Discharge Detection and Elimination Program meet the following requirements, as found in the Permit (Part III.D.3.c.-g.)?

- a. Incorporation of illicit discharge detection into all inspection and maintenance activities conducted under the Permit (Part III.D.6.e.-f.) Where feasible, illicit discharge inspections shall be conducted during dry-weather conditions (e.g., periods of 72 or more hours of no precipitation). ☒ Yes ☐ No
- b. Detecting and tracking the source of illicit discharges using visual inspections. The permittee may also include use of mobile cameras, collecting and analyzing water samples, and/or other detailed procedures that may be effective investigative tools. ☒ Yes ☐ No
- c. Training of all field staff, in accordance with the requirements of the Permit (Part III.D.6.g.(2)), in illicit discharge recognition (including conditions which could cause illicit discharges), and reporting illicit discharges for further investigation. ☒ Yes ☐ No
- d. Identification of priority areas likely to have illicit discharges, including at a minimum, evaluating land use associated with business/industrial activities, areas where illicit discharges have been identified in the past, and areas with storage of large quantities of significant materials that could result in an illicit discharge. ☐ Yes ☒ No
- e. Procedures for the timely response to known, suspected, and reported illicit discharges. ☒ Yes ☐ No
- f. Procedures for investigating, locating, and eliminating the source of illicit discharges. ☒ Yes ☐ No
- g. Procedures for responding to spills, including emergency response procedures to prevent spills from entering the small MS4. The procedures shall also include the immediate notification of the Minnesota Department of Public Safety Duty Officer, if the source of the illicit discharge is a spill or leak as defined in Minn. Stat. § 115.061. ☒ Yes ☐ No
- h. When the source of the illicit discharge is found, the permittee shall use the ERPs required by the Permit (Part III.B.) to eliminate the illicit discharge and require any needed corrective action(s). ☒ Yes ☐ No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

C.2.b., The City will review and update written procedures for detecting and tracking source of illicit discharges as described in the permit (Part III.D.3.d). Procedures will be in place within 12 months following the date permit coverage is extended.

C.2.d., The City will review and update written procedures for identification of priority areas likely to have illicit discharges as described in the Permit (Part III.D.3.f). Procedures will be in place within 12 months following the date permit coverage is extended.

C.2.e., The City will review and update written procedures for a timely response to known, suspected, and reported illicit discharges as described in the permit (Part III.D.3.g). Procedures will be in place within 12 months following the date permit coverage is extended.

C.2.f., The City will review and update written procedures for investigating, locating and eliminating the source of illicit discharges as described in the Permit (Part III.D.3.f). Procedures will be in place within 12 months following the date permit coverage is extended.

3. List the categories of BMPs that address your illicit discharge, detection and elimination program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
<i>Ordinance</i>	<i>Review Ordinance yearly to ensure that it continues to meet the needs of the City and legal requirements.</i>
<i>Training</i>	<i>Conduct an educational seminar to educate the Public and City Employees about the hazards associated with illicit discharges. Invite one member of City Council, or other regulatory agency to attend.</i>

BMP categories to be implemented	Measurable goals and timeframes
<i>Illicit Discharge Detection and Elimination (IDDE) Program</i>	<i>Review annually the illicit discharge written procedures, detection, and response procedures connection test performed within. Utilize information document about the IDDE program as described in the Permit (Part III.3.h) to make adjustments to written procedures as necessary.</i>
<i>Inspections</i>	<i>Annually inspect locations identified as high-priority outfalls and around high-risk establishments (fast food restaurants, dumpster, car washes, mechanics, oil changes.)</i>
<i>Illicit Discharge Investigation</i>	<i>As needed hire a consultant to televise a section of our sewer system, collect grab samples or perform other effective testing procedures to find illicit connection in the system.</i>
<i>Community Reporting Options and Documentation Procedures</i>	<i>IT department will update Request system on City webpage to include a link to report Illicit Discharges. This will allow the city to receive, document, and respond to citizen reports of illicit discharges.</i>

4. Do you have procedures for record-keeping within your Illicit Discharge Detection and Elimination (IDDE) program as specified within the Permit (Part III.D.3.h.)? ☐ Yes ☒ No

If you answered **no**, indicate how you will develop procedures for record-keeping of your Illicit Discharge, Detection and Elimination Program, within 12 months of the date permit coverage is extended:

C.4., The City will review and update written procedures for receiving, documenting and storing citizen input as described in the permit (Part III.D.3.h). Procedures will be in place within 12 months following the date permit coverage is extended.

5. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Director - Suggest Delegating to Street Superintendent

D. MCM 4: Construction site stormwater runoff control

1. The Permit (Part III.D.4) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement and enforce a construction site stormwater runoff control program. Describe your current program:

The City requires review of construction site erosion and sediment control (ESC) plans before projects begin, and work with contractors to ensure appropriate and correct use of erosion and sediment control BMPs on sites. The building inspection department is who primarily checks for compliancy with construction site ESC plans.

2. Does your program address the following BMPs for construction stormwater erosion and sediment control as required in the Permit (Part III.D.4.b.):
- Have you established written procedures for site plan reviews that you conduct prior to the start of construction activity? ☐ Yes ☒ No
 - Does the site plan review procedure include notification to owners and operators proposing construction activity that they need to apply for and obtain coverage under the MPCA's general permit to *Discharge Stormwater Associated with Construction Activity No. MN R100001*? ☐ Yes ☒ No
 - Does your program include written procedures for receipt and consideration of reports of noncompliance or other stormwater related information on construction activity submitted by the public to the permittee? ☐ Yes ☒ No
 - Have you included written procedures for the following aspects of site inspections to determine compliance with your regulatory mechanism(s):
 - Does your program include procedures for identifying priority sites for inspection? ☐ Yes ☒ No
 - Does your program identify a frequency at which you will conduct construction site inspections? ☐ Yes ☒ No
 - Does your program identify the names of individual(s) or position titles of those responsible for conducting construction site inspections? ☐ Yes ☒ No
 - Does your program include a checklist or other written means to document construction site inspections when determining compliance? ☐ Yes ☒ No
 - Does your program document and retain construction project name, location, total acreage to be disturbed, and owner/operator information? ☒ Yes ☐ No
 - Does your program document stormwater-related comments and/or supporting information used to determine project approval or denial? ☒ Yes ☐ No
 - Does your program retain construction site inspection checklists or other written materials used to ☒ Yes ☐ No

document site inspections?

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met.

D.2.a., The city uses the MPCA SWPPP Checklist for site plan reviews but does not have any established written procedures. The City will develop written procedures for site plan reviews as described in the Permit (Part III.D.4.b). Procedures will be in place within 12 months following the date permit coverage is extended.

D.2.b., The City will include a notification to owners and operators proposing construction activity to apply for and obtain coverage under the MPCA's construction activity permit into the written procedures from (D.2.a) as described in the Permit (Part III.D.4.b). Notification will be included in the procedures within 12 months following the date permit coverage is extended.

D.2.c., The City will develop written procedures for receipt and consideration of reports of noncompliance or other stormwater related information on construction activity submitted by the public as described in the Permit (Part III.D.4.c). Procedures will be in place within 12 months following the date permit coverage is extended.

D.2.d., City will develop written procedures for conducting site ESC inspections as described in the Permit (Part III.D.4.d). Procedures will be in place within 12 months following the date permit coverage is extended.

3. List the categories of BMPs that address your construction site stormwater runoff control program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). **If you have more than five categories**, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Site Plan Review	City Engineering Staff utilizes SWPPP Checklist (wq-strm2-47) for review of NPDES Erosion Control Permits submitted to the department for review.
Erosion Protection Maintenance Memo to Builders	An erosion control handout, which explains how to properly install a silt fence and other erosion control BMPs is given to the application when a building permit is picked up.
BMP categories to be implemented	Measurable goals and timeframes
Permit Update	Update the City Grading, Building, and ROW permits and Construction Site Stormwater Runoff ordinance to meet MPCA General Permit to Discharge Stormwater Associate with Construction Activity within 12 months following the date permit coverage is extended
Checklist for Site Plan Review	Update procedures for site plan review annually and incorporate changes into the review process.
Prioritize Inspections	Ensure at least 10% of inspections conducted annually are performed at deemed high priority inspection sites (e.g., near sensitive receiving waters, projects larger than 5 acres)
Permit Application System	Develop written procedures to utilize permit works to track and archive all plan review and inspection documents within 12 months following the date permit coverage is extended.

4. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Director of Public Works - Engineering staff or other department employee.

E. MCM 5: Post-construction stormwater management

1. The Permit (Part III.D.5.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement and enforce a post-construction stormwater management program. Describe your current program:

The City has a post-construction stormwater management ordinance to encourage the utilization of BMPs for stormwater runoff from new and redevelopment projects, as well as to ensure the maintenance and operation of the stormwater BMPs.

2. Have you established written procedures for site plan reviews that you will conduct prior to the start of construction activity? ☐ Yes ☒ No

3. Answer **yes** or **no** to indicate whether you have the following listed procedures for documentation of post-construction stormwater management according to the specifications of Permit (Part III.D.5.c.):
- a. Any supporting documentation that you use to determine compliance with the Permit (Part III.D.5.a), including the project name, location, owner and operator of the construction activity, any checklists used for conducting site plan reviews, and any calculations used to determine compliance? ☐ Yes ☒ No
 - b. All supporting documentation associated with mitigation projects that you authorize? ☐ Yes ☒ No
 - c. Payments received and used in accordance with Permit (Part III.D.5.a.(4)(f))? ☐ Yes ☒ No
 - d. All legal mechanisms drafted in accordance with the Permit (Part III.D.5.a.(5)), including date(s) of the agreement(s) and names of all responsible parties involved? ☐ Yes ☒ No

If you answered **no** to any of the above permit requirements, describe the steps that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met.

E.2., The City uses a SWPPP Checklist for site plan reviews but does not have any established written procedures. The City will develop written procedures for site plan reviews as described in the Permit (Part III.D.5.b.). Procedures will be in place within 12 months following the date permit coverage is extended.

E.3., The City will review or create written procedures for documentation of post-construction stormwater management as described in the Permit (Part III.D.5.c.). Procedures will be in place within 12 months following the date permit coverage is extended.

4. List the categories of BMPs that address your post-construction stormwater management program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
<i>Site Plan Review</i>	<i>Completed plan review process and documentation procedures for sites qualifying as a land disturbance in accordance with definition set in the City Ordinance.</i>
<i>Encourage the use of structural and non-structural BMPs during review of new and redevelopment projects</i>	<i>Implement Stormwater retention/detention ponds as a BMP immediately in areas where it is appropriate Developers encouraged to install rain gardens Possible implantation of sand and organic filters into plan review process</i>
<i>Stormwater Retention/Detention</i>	<i>Implement Stormwater retention/detention ponds as a BMP immediately in areas where it is appropriate</i>
<i>Stabilization Seeding</i>	<i>Document Violations of seeding provisions and types of enforcement actions</i>
<i>Outlet Structure stabilization</i>	<i>Number of structures stabilized</i>
<i>Land Development Ordinance</i>	<i>Complete Ordinance including illicit discharges, erosion and sediment control at construction sites, and post construction runoff from new development and redevelopment</i>
<i>Inspections to verify proper maintenance of stormwater BMPs</i>	<i>Annual inspections of 20% of completed City-Owned BMPs</i>
BMP categories to be implemented	Measurable goals and timeframes
<i>Update ordinance to meet new permit requirements</i>	<i>Within 12 months of extension of permit coverage, revise ordinance to meet permit requirements</i>
<i>Develop Written Procedures for Site Plan Review</i>	<i>Within 12 months of extension of permit coverage, develop site plan review procedures that must be completed prior to the start of construction activity</i>
<i>Document Pertinent Project Information</i>	<i>Maintain all related documents pertaining to each new or redeployment project in more user-friendly filing system for better records management. Implement within 6 months.</i>
<i>BMP Construction Guidance</i>	<i>Develop BMP Construction Guidance document for developers</i>

	<i>and contractors within 12 months of permit coverage extension.</i>
<i>Stormwater Management Plan</i>	<i>Complete SWMP for New Brighton</i>

5. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Director of public Works or engineering staff.

F. MCM 6: Pollution prevention/good housekeeping for municipal operations

1. The Permit (Part III.D.6.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement an operations and maintenance program that prevents or reduces the discharge of pollutants from the permittee owned/operated facilities and operations to the small MS4. Describe your current program:

The City currently inspects its structural pollution control devices on an annual basis and inspects all of its outfalls, sediment basins and ponds every 5 years. The City inspects stockpiles, storage and material handling areas at the maintenance yard for potential discharges and maintenance of BMPs. The City is evaluating the use of road salt for winter road maintenance activities to reduce chlorides entering our water resources. The City sweeps streets once in the fall after leaf drop and once in the spring. Maintenance staff is trained annually on various topics related to pollution prevention during maintenance activities.

2. Do you have a facilities inventory as outlined in the Permit (Part III.D.6.a.)? ☐ Yes ☒ No
3. If you answered **no** to the above permit requirement in question 2, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:

A city inventory will be completed within 12 months of permit coverage.

4. List the categories of BMPs that address your pollution prevention/good housekeeping for municipal operations program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. For an explanation of measurable goals, refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
<i>Park and Open Space Training Program</i>	<i>Training focused on fertilizer application, pesticide/herbicide application, and mowing discharge.</i>
<i>Fleet and Building Maintenance Training Program</i>	<i>Training focused on automotive maintenance program (automotive inspections and washing), spill cleanup training, hazardous materials training, building leak prevention and inspection training.</i>
<i>Stormwater Systems Maintenance Training Program</i>	<i>Training focused on parking lot and street cleaning, storm drain systems cleaning, road salt materials management</i>
<i>Parking Lots & Street Cleaning</i>	<i>Train Employees and document number of times each street is swept annual. Goal is 2times per year.</i>
<i>Storm Drain Cleaning System</i>	<i>Document Number of Sumps cleaned per year.</i>
<i>Road Salt Materials Management Program</i>	<i>Document amount of salt applied each year and train employees in road salt management and application rates. Goal is 3 employees training annually.</i>
<i>Strom Sewer Inspection Program</i>	<i>Annual inspection of 20% of completed City-Owned BMPs</i>
<i>Evaluate Inspection Frequency</i>	<i>Annual inspection of 100% of pollution control devices</i>
<i>Evaluate Inspection Frequency</i>	<i>Evaluate inspection records and determine if inspection frequency needs to increase or decrease.</i>
BMP categories to be implemented	Measurable goals and timeframes
<i>Develop Sill Prevention & Control Plans for Municipal Facilities</i>	<i>Develop plans describing spill prevention and control procedures by the end of Year 1. Conduct annual spill prevention and response training sessions to all municipal</i>

	<i>employees. Distribute education materials, i.e. posters and pamphlets, to each municipal facility by the end of year 2.</i>
<i>Increase Inspection Frequency of Maintenance Yard</i>	<i>Once weekly and after all rain events utilizing a checklist for the inspection that documents findings and allows staff to compare to previous inspections</i>
<i>Facility Inventory</i>	<i>Continue to develop facilities inventory to include potential pollutants. Create a map of all identified facilities.</i>
<i>Pond Assessment Procedures & Schedule</i>	<i>In year 1, develop procedures for determining TSS and TP treatment effectiveness of city owned ponds use for treatment of stormwater. Implement schedule in year 2-5</i>

5. Does discharge from your MS4 affect a Source Water Protection Area (Permit Part III.D.6.c.)? ☐ Yes ☒ No

a. If **no**, continue to 6.

b. If **yes**, the Minnesota Department of Health (MDH) is in the process of mapping the following items. Maps are available at <http://www.health.state.mn.us/divs/eh/water/swp/maps/index.htm>. Is a map including the following items available for your MS4:

1) Wells and source waters for drinking water supply management areas identified as vulnerable under Minn. R. 4720.5205, 4720.5210, and 4720.5330? ☐ Yes ☐ No

2) Source water protection areas for surface intakes identified in the source water assessments conducted by or for the Minnesota Department of Health under the federal Safe Drinking Water Act, U.S.C. §§ 300j – 13? ☐ Yes ☐ No

c. Have you developed and implemented BMPs to protect any of the above drinking water sources? ☐ Yes ☐ No

6. Have you developed procedures and a schedule for the purpose of determining the TSS and TP treatment effectiveness of all permittee owned/operated ponds constructed and used for the collection and treatment of stormwater, according to the Permit (Part III.D.6.d.)? ☐ Yes ☒ No

7. Do you have inspection procedures that meet the requirements of the Permit (Part III.D.6.e.(1)-(3)) for structural stormwater BMPs, ponds and outfalls, and stockpile, storage and material handling areas? ☒ Yes ☐ No

8. Have you developed and implemented a stormwater management training program commensurate with each employee's job duties that:

a. Addresses the importance of protecting water quality? ☐ Yes ☒ No

b. Covers the requirements of the permit relevant to the duties of the employee? ☐ Yes ☒ No

c. Includes a schedule that establishes initial training for new and/or seasonal employees and recurring training intervals for existing employees to address changes in procedures, practices, techniques, or requirements? ☒ Yes ☐ No

9. Do you keep documentation of inspections, maintenance, and training as required by the Permit (Part III.D.6.h.(1)-(5))? ☐ Yes ☒ No

If you answered **no** to any of the above permit requirements listed in **Questions 5 – 9**, then describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

F.6. The City will develop a procedure for assessing ponds to determine TSS and TP effectiveness as described in the Permit (Part III.D.6.d) This study will develop procedures for determining TSS and TP treatment effectiveness of city-owned ponds used for treatment of stormwater. A schedule will be implemented in years 2 thru 5.

F.7., The City will develop written procedures for inspection of structural stormwater BMPs, ponds and outfalls, and stockpile, storage and material handling areas as described in the Permit (Part III.D.6.f.). Procedures will be in place within 12 months following the date permit coverage is extended.

F.8., The City will develop and implement a stormwater management training program commensurate with each employees job duties as described in the Permit (Part III.D.6.g.). Procedures will be in place within 12 months following the date permit coverage is extended.

F.8., The City will develop written procedures to document inspections, maintenance, and training as described in the Permit (Part III.D.6.h.). Procedures will be in place within 12 months following the date permit coverage is extended.

10. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

City Engineer - Suggest Delegating to Street Superintendent

VI. Compliance Schedule for an Approved Total Maximum Daily Load (TMDL) with an Applicable Waste Load Allocation (WLA) (Part II.D.6.)

- A. Do you have an approved TMDL with a Waste Load Allocation (WLA) prior to the effective date of the Permit? ☒ Yes ☐ No

1. If **no**, continue to section VII.
2. If **yes**, fill out and attach the MS4 Permit TMDL Attachment Spreadsheet with the following naming convention: *MS4NameHere_TMDL*.

This form is found on the MPCA MS4 website: <http://www.pca.state.mn.us/ms4>.

VII. Alum or Ferric Chloride Phosphorus Treatment Systems (Part II.D.7.)

- A. Do you own and/or operate any Alum or Ferric Chloride Phosphorus Treatment Systems which are regulated by this Permit (Part III.F.)? ☐ Yes ☒ No

1. If **no**, this section requires no further information.
2. If **yes**, you own and/or operate an Alum or Ferric Chloride Phosphorus Treatment System within your small MS4, then you must submit the Alum or Ferric Chloride Phosphorus Treatment Systems Form supplement to this document, with the following naming convention: *MS4NameHere_TreatmentSystem*.

This form is found on the MPCA MS4 website: <http://www.pca.state.mn.us/ms4>.

VIII. Add any Additional Comments to Describe Your Program

TMDL Wasteload Allocation Excel Spreadsheet PART II.D.6.a.-e.

Copy and paste from the Master List MS4 TMDL Spreadsheet for your MS4 to the space below.

Attach this completed form with your SWPPP Document at the time of submittal. At a **minimum**, provide all of the information ******* items (TMDL Project Name, Type of WLA, Numeric WLA, Unit, Flow Condition, and Pollutant of Concern).

Permittee name	Preferred ID	TMDL project name*	Waterbody ID	Type of WLA*	Numeric WLA*	Unit*	Percent reduction	Flow condition*	Waterbody name	Pollutant of concern*	Date approved
New Brighton City	MS400038	Silver Lake TMDL	62-0083-00	Categorical	0.55	lbs/day	17%	N/A	Silver Lake	Phosphorus	7/29/2010

Is your MS4 currently meeting its WLA for any approved TMDLs?

Is your MS4 currently meeting its WLA for any approved TMDLs?

☐ **NO** (Complete Table 1, Strategies for continued BMP implementation beyond the term of this permit, and Table 2 below)

☒ **YES** (Provide the following information below)

If YES, indicate the WLAs (may be grouped by TMDL Project) you believe are reasonably being met. For each WLA, list the implemented BMPs and provide a narrative strategy for the long-term continuation of meeting each WLA. PART II.D.6.g.(1)-(2)

- Silver Lake Excess Nutrient TMDL: 0.55 lbs/day Phosphorus

To meet the target load of 0.55 lbs/day the stormwater WLAs were further broken down into target loads for each MS4. Target loads were derived through a set of stakeholder input meetings. Target loads are set to existing modeled loads for the majority of the regulated sources with the exception of St. Anthony and Columbia Heights. Existing loads from Anoka County, Hennepin County, Minneapolis, [New Brighton](#), and Ramsey County Public Works were very small compared with existing loads from Columbia Heights and St. Anthony, and much of the runoff is treated in existing stormwater facilities. The drainage area map (SILVER LAKE TMDL, right) indicates drainage areas within [New Brighton](#) that drain to Silver Lake. The blue areas drain to ponds within New Brighton before discharging into St. Anthony, and each blue area then combines with green areas to be treated again at ponding and wetland basins within St. Anthony before reaching Silver Lake. The existing and proposed loading from the City of New Brighton is 0.02 lbs/day.

The MS4's agreed to focus reductions in Columbia Heights and St. Anthony, as there were already planned projects and programs in place with those communities to address the needed reductions. St. Anthony and Columbia Heights target loads were determined by dividing the remaining allowable load proportionally according to the area of each community. The baseline year for accounting for achievement of the target loads is 2007. With these targeted improvements St. Anthony Village is projecting a reduction of 31.5 lbs/year, and Columbia Heights 6.8 lbs/year.

Specific BMP's in New Brighton

Sweeping

New Brighton sweeps residential streets on a regular basis. At a minimum twice per calendar year. However, it should be noted that a larger percentage of the impervious street and parking lot areas contributing runoff to Silver Lake are privately owned, or maintained by Ramsey County.

Ponding

All of the runoff that New Brighton sends to Silver Lake is treated within a ponding or wetland basin. Of these features, only two of the ponds within New Brighton are the Cities responsibility. These ponds are located within drainage areas HP-049, and HP-057. HP-049 flows to HP-057, and HP-057 is routed through one pollution control device. This structure is inspected on an annual basis. If maintenance is needed the BMP is cleaned or repaired. In 2011 the pond within HP-057 was being artificially drawn down through the outlet structure. The outlet structure was then replaced (located at 11 Wexford Drive) with an internal weir wall for skimming, and the pond continues to function as designed (POND HP 057, lower right).

Storm Sewer

During a 2013 Street Rehabilitation project the City included sumped catch basins and a SAFL Baffle in an effort to deposit the sediment within the structure, rather than in the stormwater ponds. These improvements were not intended to remove phosphorus, but to prevent sediment build up within existing ponds.

Education

Published in our annual spring/summer City Wide Newsletter-
Easy Ways to Reduce Water Pollution

Best Management Practices (BMPs) are actions you can take to reduce non-point source water pollution. Even if you don't own water front property, the things you do to your home, farm, and yard directly impact the quality of our lakes, streams, and wetlands. The stormwater that passes over your land, driveway, and sidewalk travels directly from your property to the nearest body of water (lake, stream or wetland). The runoff entering your curbside storm drain is not "cleaned" or treated before entering our lakes, streams or wetlands.

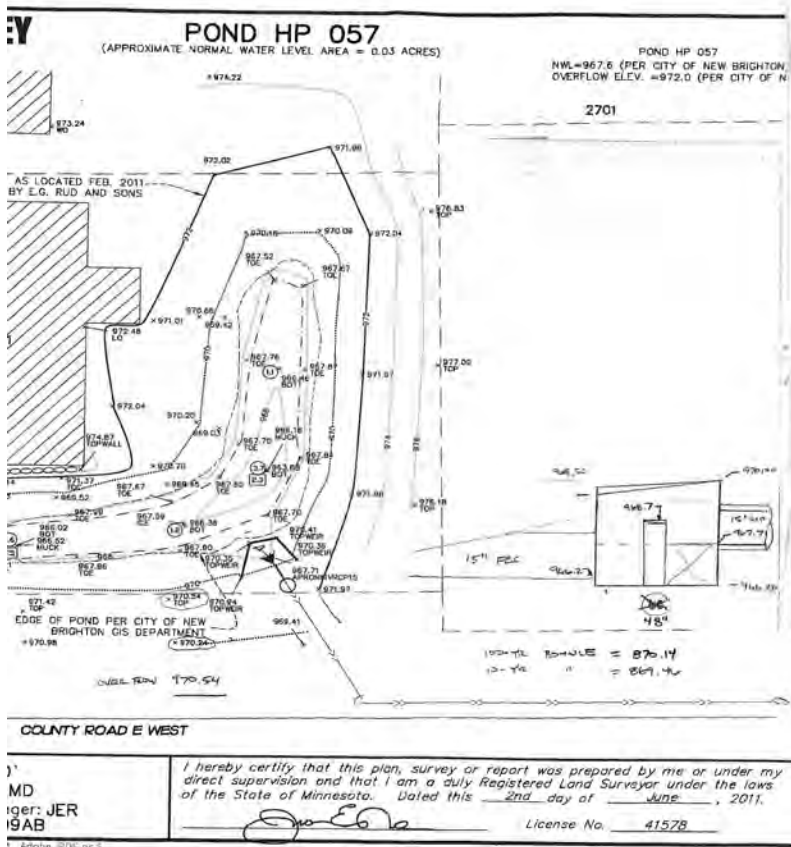
Pollutions in runoff may include sediment, yard chemicals, automotive fluids, pet or farm animal waste, and other debris. Listed below are best management practices that you can use at your home or farm to reduce non-point source pollution.

Household Best Management Practices (BMPs)-

- Sweep up yard chemicals that spill onto hard surfaces.
- Clean up pet waste and dispose of it in the trash. Pet waste contains nutrients as well as harmful bacteria.
- Sweep grass clippings off the street, driveway, or sidewalk after mowing. Grass clippings can add phosphorus to our waters. Remove leaves and other plant debris from the street.
- Don't pour any waste down the storm drain.
- Wash your car on the lawn or take it to a commercial car wash. Waste water at a commercial car wash is treated through the sanitary sewer system.
- Plant a rain garden.
- Allow stormwater and melting snow to soak into your yard as much as possible.
- Direct your downspout to your lawn or into a rain barrel for watering at a later date.
- Avoid directing runoff onto hard, impervious surfaces such as the driveway or sidewalk.

Future Opportunities

With any redevelopment in the corridor, New Brighton will enforce Rice Creek Watershed District Rules which include BMP's such as infiltration or biofiltration which could further enhance the water leaving the City of New Brighton.



City Code

Chapter 14

Land Excavation and Reclamation

Article 1. General Conditions, §§ 14-1--14-15

Article 2. Permit, §§ 14-16--14-23

Article 1. General Conditions

Sec. 14-1. Definitions.

The definitions in this Section shall apply when these words and phrases are used in this Chapter.

- (1) ***Earth or Soil.*** Any material that occurs naturally on the surface of the earth which can be dug, plowed, and planted and will sustain plant growth.
- (2) ***Land Excavation.*** The extraction of sand, gravel, rock, peat earth, or any other material from the ground, whether or not such material is removed from the site of extraction.
- (3) ***Land Filling.*** The depositing of materials on land for any purpose other than reclamation.
- (4) ***Land Reclamation.*** The reclaiming of land by the depositing of material so as to elevate the grade.
(Code 1966; Ord. No. 281, 6-22-71; Code of 1988; Code of 2001)

Sec. 14-2. Exceptions.

- (1) This Chapter shall not apply to any excavation that is necessary for the construction of a structure when the structure will replace the excavated materials, and when the excavated materials, which consist of clean earth, are to be used in the final grading of the building site.
- (2) However, such excavations shall require issuance of a building permit for the structure. Issuance of the permit shall give due consideration to the intended grading work as required by this Chapter and other provisions of the City Code. (Code 1966; Ord. No. 281, 6-22-71; Code of 1988; Code of 2001)

Sec. 14-3. Enforcement and Penalty.

The City shall administer and enforce this Chapter and may institute such appropriate actions or procedures against a violator as provided by law. A person shall be guilty of a misdemeanor who has obtained a permit and fails to:

- (1) Comply with any of the conditions upon which the permit was issued.
- (2) Complete a land reclamation project in the time prescribed in the permit application.
- (3) Act in accordance with the work authorized by the permit. (Code 1966; Ord. No. 281, 6-22-71; Code of 1988)

Secs. 14-4--14-15. Reserved. (Code of 2001)

Article 2. Permit

Sec. 14-16. Permit Required.

A permit shall be required to:

- (1) Excavate land in excess of 100 cubic yards per year.
- (2) Fill land or to reclaim land by filling by depositing material in excess of 100 cubic yards per year.
- (3) Fill or reclaiming land by depositing non-earth materials. (Code 1966; Ord. No. 281, 6-22-71; Code of 1988; Code of 2001)

Sec. 14-17. Application.

Application for a permit shall be made on a form as prescribed by the City and shall include:

- (1) The name and address of the applicant.
- (2) The legal description of the land involved.
- (3) A general description of the work proposed to be done.
- (4) The type of materials to be excavated or filled.
- (5) The time work will commence and be completed.
- (6) The proposed route for hauling of materials. (Code 1966; Ord. No. 281, 6-22-71; Code of 1988; Code of 2001)

Sec. 14-18. Plan Required.

The application shall be accompanied by a plan showing the existing conditions and topography of the land and the proposed completed topography. A registered professional engineer must complete the plan if the area to be excavated, filled, or reclaimed is greater than 12,000 square feet. (Code 1966; Ord. No. 281, 6-22-71; Code of 1988; Code of 2001)

Sec. 14-19. Fee.

The application fee shall be established by ordinance. (Code 1966; Ord. No. 281, 6-22-71; Code of 1988; Code of 2001, Ord. 751, 11-13-2007)

Sec. 14-20. Bond.

A bond may be required as a condition precedent to obtaining a permit. The bond shall be in an amount that is deemed sufficient to cover the expense of restoring the site to a reasonable condition. (Code 1966; Ord. No. 281, 6-22-71; Code of 1988; Code of 2001)

Sec. 14-21. Performance Standards.

(1) The review of the application shall take into consideration the health, safety, and general welfare of the inhabitants of the City. The permit issued shall include:

- A. Finished grade plan which will not adversely affect the adjacent land. Said plan shall be a condition for issuance of the permit.
- B. Designation of the type of fill or extracted material permitted.
- C. Plans for rodent control and fire control.
- D. Designation of the manner in which the site and adjacent area are to be maintained during the operations.
- E. Provisions for control of material dispersed by wind and water and from hauling of material to or from the site.
- F. Specifications for general maintenance of the site during the operation including systematic leveling and landscaping.

(2) Other required performance standards shall be:

- A. Land brought to grade by fill of non-earth material shall be covered with clean earth.
- B. Areas of exposed non-earth fill shall at all times be kept to a minimum.
- C. All non-earth materials shall be non-combustible and in no case shall garbage or other combustible material be used as fill unless approved by the City Council as a private or public dumping ground.
- D. Landscaping by systematic planting of the excavated, filled, or reclaimed portion of the site with cover crops shall be required. (Code 1966; Ord. No. 281, 6-22-71; Code of 1988; Code of 2001)

Sec. 14-22. Additional Requirements.

The City shall have the right to order any positive act to be done in connection with the work to bring the operation into compliance with the terms of the permit. These orders may:

(1) Require the person responsible for land excavation to refill any excavation site which adversely affects the general health, safety, and welfare.

(2) Require the person responsible for land reclamation to cover any non-earth fill with clean earth if such is not done within a reasonable time of the filling or depositing.

Any such positive act should be performed by the permit holder within thirty calendar days after being given written notice of the requirement. No further reclamation or excavation work on the site shall proceed until the required act is completed. (Code 1966; Ord. No. 281, 6-22-71; Code of 1988; Code of 2001)

Sec. 14-23. Revocation.

The City Council reserves the right to revoke any permit for violation of the conditions of the permit. Upon such an order from the Council, further work on the site shall be deemed a violation of this Chapter. The City shall have the right to order any positive act to be done in connection with the work to comply with the conditions of the permit. (Code 1966; Ord. No. 281, 6-22-71; Code of 1988)

Article 3. Land Disturbing Activities

Section 14-24. PERMIT FOR LAND DISTURBING ACTIVITIES

(1) No construction, reconstruction, development, redevelopment, grading, excavation or other activity shall occur without first securing a permit from the City Engineer if such activity causes a land disturbance of one acre or more of land or a land disturbance of less than one acre if it is a part of a common plan of development of one acre or more.

(2) The applicant shall submit an erosion and sediment control plan. The plan shall meet the following requirements:

A. The plan shall be consistent with the Minnesota Pollution Control Agency's Best Management Practices Handbook.

B. The plan shall describe steps to be taken to control construction impacts on water quality such as discarded building materials, concrete truck washout, chemicals, litter and sanitary waste.

C. The plan shall provide 2-foot contour lines with spot elevations of proposed grades in relation to existing grades on the subject property and adjacent land. The location and type of erosion control devices shall be clearly labeled.

D. The plan shall include every effort to minimize disturbances of existing ground cover and shall provide that ground cover shall be provided within five (5) days after completion of the grading operation or such earlier time as may be provided by other law, rate or regulation. Erosion control devices shall not be removed until ground cover is established.

E. The plan shall address the management of post development runoff and means of assuring the long-term maintenance and operation of best management practices and storm water management structures, devices and methods.

F. If the land disturbing activity involves construction, the plan shall include procedures to be followed to control waste, such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality, all in accordance with applicable laws, ordinances, regulations and City policies for such activities.

(3) The Engineer may require such additions or modifications to the plan and may impose such conditions and restrictions on the permit as the Engineer deems necessary to provide water quality protection. Such conditions may include, but are not limited to: limiting the size, kind or character of the proposed development; requiring the construction of structures, drainage facilities, storage basins and other facilities; requiring the replacement of vegetation; establishing required monitoring procedures; requiring that the work be staged over time; requiring the execution and filing of such declarations or agreements as the Engineer deems necessary to assure the continuing monitoring and maintenance of all facilities and systems; and requiring a performance bond, or other acceptable security, to assure that all facilities and systems are constructed as required.

(4) Every effort shall be made during the permit application process to determine the full extent of erosion control required. However, the City Engineer may require additional controls to correct specific site related problems as inspections are performed during construction.

(5) All erosion control noted on the approved plan shall be installed prior to the initiation of any site grading or construction.

(6) All activities requiring a permit under this section shall conform to all requirements of federal, state and local laws, rules and regulations including the Rice Creek Watershed District.

(7) The City Engineer shall inspect and enforce all control measures and shall receive and consider reports of non-compliance or other information on construction issues related to water quality submitted by members of the public. Non-compliance with the requirements of this section, the approved plan, any conditions or restrictions imposed by the City Engineer, or any orders issued by the City Engineer under paragraph (4) of this Section is a violation of this Section. Violation of this Section is a misdemeanor and constitutes grounds for the City to issue an order to halt all construction or pursue any other legal or equitable remedy to enforce the requirement of this Section. (Ord No 761 6-24-2008)

Editor's Notes
City Code-Chapter 14
Land Excavation, Reclamation

This Chapter has been renumbered to be consistent with the numbering system used throughout the Code:

The first division within a Section is numbered "(1)" followed by "(2)", etc.

The next division of a Section is numbered with an "A" followed by "B", etc.

As with all other parts of the codification, the language in this Chapter has been simplified and made general neutral.

Margaret A. Egan
Finance Director/City Clerk
March 22, 2000